

FIFTY-FIFTH DAY.

Senate Chamber,
Austin, Texas,
April 4, 1933.

The Senate met at 3 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.

Absent—Excused.

Woodul.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By unanimous consent, the rule relating to the introduction of general bills after the first 52 days of the session was suspended and consent was granted to introduce the following bills:

By Senator Rawlings:

S. B. No. 496, A bill to be entitled "An Act to prohibit the use of explosives for the purpose of doing harm or injury to either persons or property; and prescribing a penalty."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Parr:

S. B. No. 497, A bill to be entitled "An Act prohibiting individuals, corporations, partnerships, joint stock associations, or any other association of persons engaged in the pro-

duction or refining of crude petroleum from owning, or owning stock, or other interest, in any filling station, or other place of business, at which crude petroleum, or gasoline, or any other products of crude petroleum are sold at retail, and fixing a time for complying with the provisions of this Act, and declaring that such ownership, or interest, tends to create a monopoly and is in conflict with the statutes of the State regulating trusts and monopolies; and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Purl:

S. B. No. 498, A bill to be entitled "An Act to amend Title 34, subdivision 2, of the Revised Civil Statutes of 1925, by amending Article 1656 thereof prescribing the authority of the county auditor with reference to the system, forms, and reports to be used in connection with the receipt and disbursement of all county revenues, funds, fees, and moneys received and disbursed by county and precinct officers belonging to the county, its subdivisions, and precincts, including the moneys collected and disbursed by, or on hand with, such officers for the benefit of individuals, firms, or corporations; prescribing the time, mode, and manner of making monthly, annual, or other reports to the auditor; authorizing the auditor to verify the cash on hand in support of all official reports of such officer relating to such receipts, disbursements, and balances; permitting the adoption of regulations to insure the speedy and proper collection and checking of, and accounting for all such moneys; and by adding Article 1656a requiring the district clerk and the county clerk to make sworn reports of trust funds to the county auditor of receipts, disbursements, and balances; requiring the approval of the judge of the court in which such funds were deposited on all disbursements of such trust funds and requiring the counter signature of the county auditor on all checks issued for the disbursement of trust funds; providing for the repeal of all laws in conflict herewith; and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Redditt:

S. B. No. 499, A bill to be entitled "An Act amending Chapter 5 of the General and Special Laws of the State of Texas passed by the Forty-second Legislature, being known as House Bill No. 6 of said session, being an Act providing for open season on squirrel in Angelina and Tyler counties, providing a penalty and declaring an emergency."

Read and referred to Committee on Game and Fish.

Senator Excused.

On motion of Senator Cousins, Senator Woodul was excused for the week on account of important business.

Special Order Set.

On motion of Senator Moore, S. B. No. 222 was set as special order Friday morning immediately following S. B. No. 50 already set as special order.

Senate Bill No. 191.

The question recurred upon the motion to suspend the regular order of business and take up S. B. No. 191. The motion prevailed by the following vote:

Yeas—19.

Beck.	Patton.
Collie.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Greer.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Neal.	Stone.
Pace.	Woodruff.
Parr.	

Nays—8.

Cousins.	Oneal.
DeBerry.	Poage.
Moore.	Purl.
Murphy.	Woodward.

Absent.

Blackert.	Hopkins.
Holbrook.	

Absent—Excused.

Woodul.

Senator Neal called up from the table the following bill:

By Senator Neal:

S. B. No. 191, A bill to be entitled "An Act authorizing school trustees to issue interest-bearing warrants in payment of salaries of employees; specifying that the rate of interest shall not exceed six per cent per annum; limiting the amount of warrants to be issued; providing for official notice of the issuance of such warrants and for official notice when these warrants can be cashed; giving such warrants preference over ones issued for purposes other than payment of salaries; and declaring an emergency."

Senator Neal sent up the following amendments:

Amend S. B. No. 191, section 3, line 28 by inserting between the words "tax" and "together" the following: "as shown by the budget and as determined by the county board and the county superintendent in the case of common school districts, and the city superintendents and trustees of the individual independent districts, in the case of independent districts" and amend the caption by inserting in line 12, after the word "cashed;" the following: "method of computing amount of warrants."

NEAL.

Read and adopted by unanimous consent.

Amend S. B. No. 191, section 4, lines 39 and 40 by striking out all after the word "numerically," and amend the caption by striking out in lines 12 and 13 the following: "giving such warrants preference over ones issued for purposes other than payment of salaries."

NEAL.

Read and adopted by unanimous consent.

Senator Purl sent up the following amendment:

Add a new section, Section 4-a: None of the provisions of this Act shall be of any force and/or effect from and after June 1, 1935.

PURL.

Read and adopted by unanimous consent.

The bill was finally passed by the following vote:

Yeas—14.

Beck.	Duggan.
Blackert.	Fellbaum.

Greer.
Martin.
Neal.
Pace.
Parr.

Patton.
Purl.
Rawlings.
Redditt.
Woodruff.

Nays—11.

Collie.
DeBerry.
Holbrook.
Hornsby.
Moore.
Murphy.

Oneal.
Poage.
Regan.
Russek.
Woodward.

Absent.

Hopkins.
Small.

Stone.

Absent—Excused.

Woodul.

(Pair Recorded.)

Senator Cousins (present) who would vote nay with Senator Sanderford (absent), who would vote yea.

S. J. R. No. 13.

The Chair laid before the Senate on its third reading the following resolution:

By Senator Woodward:

S. J. R. No. 13, A joint resolution proposing an amendment to Section 3 of Article VIII of the Constitution of the State of Texas, and providing for the levying and collection of taxes by general laws, and fixing the total amount of revenue which may be collected during each biennium, and the total amount of funds which may be expended during each biennium; provided that restrictions herein contained as to amounts of taxes to be levied may be suspended in case of grave emergencies; and providing for an election upon such proposed constitutional amendment, and making an appropriation therefor.

Read third time.

Senator Woodward sent up the following amendment:

Amend S. J. R. No. 13 as follows: Strike out the words "twenty dollars" wherever they appear in the bill and insert in lieu thereof the words "twenty-two dollars and fifty cents."

WOODWARD.

Read and adopted.

Senator DeBerry asked to be recorded as voting "Nay" on the amendment.

The resolution was finally passed by the following vote:

Yeas—29.

Beck.
Blackert.
Collie.
Cousins.
DeBerry.
Duggan.
Fellbaum.
Greer.
Holbrook.
Hornsby.
Martin.
Moore.
Murphy.
Neal.
Oneal.

Pace.
Parr.
Patton.
Poage.
Purl.
Rawlings.
Redditt.
Regan.
Russek.
Sanderford.
Small.
Stone.
Woodruff.
Woodward.

Absent.

Hopkins.

Absent—Excused.

Woodul.

S. J. R. No. 21.

The Chair laid before the Senate on its third reading the following resolution:

By Senator Poage:

S. J. R. No. 21, A joint resolution proposing an amendment to Section 1 of Article 9 of the Constitution of the State of Texas.

Providing that the Legislature may by two-thirds vote create new counties and change the boundaries of existing counties; providing that no county shall be created with less than an area of 900 square miles, nor shall any existing county be reduced to less than 900 square miles, unless such county shall contain a population of more than 50,000, according to the last United States census; providing for the submission of such amendment proclamation and publication thereof and making an appropriation of \$5,000.00, or so much as may be necessary to pay the expenses of such election.

Read third time.

Senator Holbrook sent up the following amendment:

Amend S. J. R. No. 21 by adding after section 2 thereof the following:

Third: No part of any existing county shall be detached from it and attached to another existing county until the proposition for such change shall have been submitted in such

manner as may be provided by law, to a vote of the electors of both counties and shall have received a majority of those voting on the question in each.

HOLBROOK.

Read and adopted by unanimous consent.

The resolution was finally passed by the following vote:

Yeas—30.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.

Absent—Excused.

Woodul.

S. J. R. No. 4.

The Chair laid before the Senate on its third reading the following resolution:

By Senator Neal:

S. J. R. No. 4, Proposing amendments to Sections 4, 22 and 23 of Article 4 of the Constitution of the State of Texas by providing that the terms of office for the Governor, Attorney General, Comptroller of Public Accounts, Treasurer and Commissioner of the General Land Office shall each be limited to only one term of four years, and that each said officer shall thereafter be ineligible to succeed himself, providing for the submission of same to the qualified electors of the State of Texas as required by the Constitution, and providing for the necessary proclamation and making an appropriation to defray the expenses for the publication of the Governor's proclamation and for the election.

Read third time.

Senator Neal sent up the following amendment:

Amend S. J. R. No. 4, Section 1, lines 23 and 24 by striking out "and

he shall not thereafter be eligible for any further term of office as Governor," and amend by adding between the words "to" and "succeed" in line 24 the word "immediately." Amend the caption accordingly.

Amend S. J. R. No. 4, relative to the Attorney General in the same manner.

NEAL.

Read and adopted by unanimous consent.

The resolution failed to finally pass by the following vote:

Yeas—15.

Beck.	Pace.
Collie.	Parr.
Cousins.	Purl.
Duggan.	Redditt.
Fellbaum.	Russek.
Hornsby.	Sanderford.
Martin.	Woodruff.
Neal.	

Nays—11.

Blackert.	Poage.
DeBerry.	Rawlings.
Holbrook.	Regan.
Moore.	Stone.
Murphy.	Woodward.
Oneal.	

Absent.

Greer.	Patton.
Hopkins.	Small.

Absent—Excused.

Woodul.

(Two-thirds vote required.)

S. J. R. No. 3.

Senator Rawlings called up from the table the following resolution:

By Senator Rawlings:

S. J. R. No. 3, Proposing an amendment to the Constitution of the State of Texas by adding to Article IX thereof a new section to be numbered 3, so as to authorize any county to adopt a Home Rule Charter for the establishment and regulation of its government, which may provide that the commissioners court of such counties may serve as the governing body, or that some other body shall act in lieu thereof, and said charters may also provide that the county judge, justice of the peace, district and county attorneys

and other officers in said counties may be compensated by salary instead of fees of office, and that any county office may be abolished, consolidated or created by the governing body of said county, and said charters may provide for taxation within the boundaries of said county, for the assessment of benefits therein and for the impounding of said assessments and the issuance of obligations, pledging the faith and credit of said counties based on such impounded assessments, and said charters may provide that in addition to such governmental powers as now are or may hereafter be exercised by counties, towns or other independently governed districts, said counties may be divided into separate zones or areas for taxing, bonding, or other purposes, and providing such counties may have the power to borrow money and issue their obligations so long as the total outstanding indebtedness at any one time does not exceed twenty-five (25%) per cent of the assessed taxable values of the real estate within such counties which obligations must be payable serially and voted by the people unless they are issued to pay a lawful debt, and providing that no part of the Constitution inconsistent with this section shall control any county charter, but providing that no charter shall inconsistently affect the operation of the General Laws of the State, except the governing body of any such county may prescribe a schedule of fees of office which may be less than that prescribed in the General Laws of the State, and providing for the adoption of said charters by a vote of the people, and providing that any county having once elected to operate under a charter may abandon the powers therein contained, and providing further that no charter shall be adopted containing a provision inimical to or inconsistent with the sovereignty and established public policy of the State, and further providing that the Legislature shall pass all laws necessary to carry out the intent and purpose of this section of the Constitution.

Read second time and passed to engrossment by the following vote:

Yeas—21.

Beck.	Cousins.
Blackert.	Fellbaum.

Holbrook.	Purl.
Hornsby.	Rawlings.
Martin.	Regan.
Murphy.	Russek.
Neal.	Sanderford.
ONeal.	Stone.
Pace.	Woodruff.
Parr.	Woodward.
Patton.	

Nays—4.

Collie.	Poage.
Moore.	Redditt.

Present—Not Voting.

DeBerry.	Duggan.
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Absent.

Greer.	Small.
Hopkins.	

Absent—Excused.

Woodul.

Recess.

Senator Russek moved to recess until 10 o'clock tomorrow morning.

Senator Pace moved to recess until 8 o'clock tonight.

The motion to recess until tomorrow morning was lost by the following vote:

Yeas—9.

Cousins.	Poage.
Fellbaum.	Rawlings.
Martin.	Russek.
Parr.	Woodward.
Patton.	

Nays—18.

Beck.	Neal.
Blackert.	ONeal.
Collie.	Pace.
DeBerry.	Purl.
Duggan.	Redditt.
Holbrook.	Regan.
Hornsby.	Sanderford.
Moore.	Stone.
Murphy.	Woodruff.

Absent.

Greer.	Small.
Hopkins.	

Absent—Excused.

Woodul.

The motion to recess until 8 o'clock tonight prevailed, and at 5:32 o'clock p. m., the Senate recessed.

After Recess.

The Senate met at 8 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Point of No Quorum.

Senator Purl raised the point of order that a quorum was lacking. The roll call showed 21 present.

S. J. R. No. 1.

The Chair laid before the Senate on its second reading the following resolution:

By Senator Oneal:

S. J. R. No. 1. Proposing an amendment to Section 9 of Article VIII of the Constitution of the State of Texas.

Providing that for all years after 1934 the State tax on property, exclusive of the tax necessary to pay the public debt and the taxes provided for the benefit of public free schools and of taxes for the Confederate Pension, shall never exceed fifteen cents on the one hundred dollar valuation, and providing for municipal taxation as is now provided in Section 9 of Article 8, of the Constitution of the State of Texas.

Read second time.

Committee amendments Nos. 1, 2, 3, and 4 were adopted.

The resolution was passed to engrossment by the following vote:

Yeas—18.

Beck.	Pace.
Blackert.	Patton.
Collie.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Hornsby.	Sanderford.
Murphy.	Small.
Oneal.	Woodward.

Nays—9.

Cousins.	Parr.
Greer.	Regan.
Holbrook.	Stone.
Moore.	Woodruff.
Neal.	

Absent.

Hopkins.	Russek.
Martin.	

Absent—Excused.

Woodul.

Request to Take Up Non-Controversial Bills.

Senators Woodruff and Moore requested unanimous consent to take up non-controversial bills in the order of the Senate roll call.

Objection was heard.

Motion to Take up Non-contested Bills.

Senator Parr moved to suspend the regular order of business and take up S. B. No. 266.

Senator Woodruff moved as a substitute that the regular order of business be suspended and non-contested bills be taken up in the order of the roll call. The substitute motion prevailed by the following vote:

Yeas—25.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Poage.
Cousins.	Purl.
DeBerry.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Greer.	Sanderford.
Holbrook.	Small.
Hornsby.	Stone.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Nays—2.

Parr.	Patton.
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Absent.

Hopkins.	Russek.
Martin.	

Absent—Excused.

Woodul.

Senate Bill No. 294.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodul:

S. B. No. 294, A bill to be entitled "An Act to abolish the office of Clerk of the Criminal District Court of Harris County, and to transfer the duties of said office to the Clerk of the District Court of Harris County; providing for the delivery of all supplies, furniture and fixtures of any kind or character belonging to said office or the clerk of the District

Court of Harris County, and fixing the effective date of this Act."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

Read second time.

Senator Beck received unanimous consent to amend the bill and caption by adding the emergency clause.

The bill was passed to engrossment.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 294 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Sanderford.
Hornsby.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent.

Hopkins.	Russek.
Martin.	

Absent—Excused.

Woodul.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Sanderford.
Hornsby.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent.

Hopkins.	Russek.
Martin.	

36—Jour.

Absent—Excused.

Woodul.

Senate Bill No. 426.

The Chair laid before the Senate on its second reading the following bill:

By Senator Blackert and Fellbaum:

S. B. No. 426, A bill to be entitled "An Act repealing Chapter 241 of the Special Laws of Texas, passed by the Forty-second Legislature at its Regular Session, as amended by Chapter 29 of the General and Special Laws of Texas, passed by the Forty-second Legislature at its First Called Session, to create and establish the San Antonio River Canal and Conservation District, under authority of Section 59 of Article 16 of the Constitution; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Blackert the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 426 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Sanderford.
Hornsby.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent.

Hopkins.	Russek.
Martin.	

Absent—Excused.

Woodul.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Cousins.
Blackert.	DeBerry.
Collie.	Duggan.

Fellbaum.
Greer.
Holbrook.
Hornsby.
Moore.
Murphy.
Neal.
Oneal.
Pace.
Parr.
Patton.

Absent.

Hopkins.
Martin.
Absent—Excused.

Woodul.

Senate Bill No. 180.

The Chair laid before the Senate on its second reading the following bill:

By Senator Cousins:

S. B. No. 180, A bill to be entitled "An Act giving county courts acting in probate matters authority to authorize guardians of estates of minors to partition real estate in which the minor's estate has an interest in common with other part owner or owners, and providing the procedure for granting such authority by requiring the guardian to file an application describing the land to be partitioned and the terms of contract for such partition and that it is to the best interest of the minor's estate, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Cousins, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 180 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.
Blackert.
Collie.
Cousins.
DeBerry.
Duggan.
Fellbaum.
Greer.
Holbrook.
Hornsby.
Moore.
Murphy.
Neal.
Oneal.

Pace.
Parr.
Patton.
Poage.
Purl.
Rawlings.
Redditt.
Regan.
Sanderford.
Small.
Stone.
Woodruff.
Woodward.

Absent.

Hopkins.
Martin.
Russek.

Absent—Excused.

Woodul.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.
Blackert.
Collie.
Cousins.
DeBerry.
Duggan.
Fellbaum.
Greer.
Holbrook.
Hornsby.
Moore.
Murphy.
Neal.
Oneal.

Pace.
Parr.
Patton.
Poage.
Purl.
Rawlings.
Redditt.
Regan.
Sanderford.
Small.
Stone.
Woodruff.
Woodward.

Absent.

Hopkins.
Martin.
Russek.

Absent—Excused.

Woodul.

Senate Bill No. 309.

The Chair laid before the Senate on its second reading the following bill:

By Senator DeBerry:

S. B. No. 309, A bill to be entitled "An Act to amend Article 3810 of the Revised Civil Statutes relating to sales of real estate under deeds of trust; requiring notice of such sales to be sent by registered mail to all persons having liens of record against the land to be foreclosed and providing that an affidavit made by the party sending a notice by mail shall be subject to registration and when recorded shall be prima facie evidence that the notice was sent, and declaring an emergency."

Read second time.

On motion of Senator DeBerry the bill was laid on the table subject to call.

Senate Bill No. 266.

The Chair laid before the Senate on its second reading the following bill:

By Senator Parr:

S. B. No. 266, A bill to be entitled "An Act authorizing any common school district, independent school district, consolidated common school district, consolidated independent school district, county line school district, consolidated county line school district or rural school district to hold an election for the purpose of the cancellation and revocation of any unsold school bonds and providing that such election shall be ordered and held in the same form and manner provided for in voting such school bonds, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 266 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Sanderford.
Hornsby.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent.

Hopkins.	Russek.
Martin.	

Absent—Excused.

Woodul.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Sanderford.
Hornsby.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent.

Hopkins.	Russek.
Martin.	

Absent—Excused.

Woodul.

Senate Bill No. 167.

The Chair laid before the Senate on its second reading the following bill:

By Senator Duggan:

S. B. No. 167, A bill to be entitled "An Act providing limiting the time within which ad valorem taxes may be collected by the State, any county, municipality, or other defined subdivision, and declaring an emergency."

Read second time.

On motion of Senator Duggan, the bill was laid on the table subject to call.

House Bill No. 572.

The Chair laid before the Senate on its third reading the following bill:

By Mr. Anderson of Bexar:

H. B. No. 572, A bill to be entitled "An Act to amend Chapter 137, of the Special Laws of Texas of the Regular Session of the Forty-second Legislature, known as the Bexar County Road and Bridge Law, by permitting the commissioners court to re-allot certain funds; providing an effective date of this Act; repealing all laws and parts of laws in conflict, and declaring an emergency."

Read third time and finally passed by the following vote:

Yeas—16.

Cousins.	Parr.
Duggan.	Patton.
Fellbaum.	Purl.
Greer.	Redditt.
Moore.	Reagan.
Neal.	Small.
Oneal.	Woodruff.
Pace.	Woodward.

Nays—7.

Collie.	Poage.
Holbrook.	Sanderford.
Hornsby.	Stone.
Murphy.	

Present—Not Voting.

DeBerry.	Rawlings.
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Absent.

Beck. Martin.
Blackert. Russek.
Hopkins.

Absent—Excused.

Woodul.

Senator Fellbaum moved to reconsider the vote by which the bill was finally passed. The motion prevailed.

The bill was finally passed by the following vote:

Yeas—21.

Cousins.	Patton.
Duggan.	Poage.
Fellbaum.	Purl.
Greer.	Rawlings.
Hornsby.	Redditt.
Moore.	Reagan.
Murphy.	Small.
Neal.	Stone.
Oneal.	Woodruff.
Pace.	Woodward.
Parr.	

Nays—3.

Collie.	Sanderford.
Holbrook.	

Present—Not Voting.

DeBerry.

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Reason For Vote.

I am opposed to this bill as I believe it is against public policy; however since 16 Senators voted to finally pass this measure, I shall not by my vote require that those who will benefit by this measure be required to wait 90 days, I therefore vote yea to help it get 21 votes.

PURL.

Reason For Vote.

I vote yea only for the purpose of allowing this bill which has already passed to go into immediate effect. I think the bill is very bad but if it is to be the law 90 days hence it had better be made effective at once.

POAGE.

Senate Bill No. 142.

The Chair laid before the Senate on its third reading the following bill:

By Senator Greer:

S. B. No. 142, A bill to be entitled "An Act to amend Section 8, Chapter 10, Acts of the Forty-first Legislature, Second Called Session, relating to the duties of the State Board of Education pertaining to teachers' certificates; protecting rights of teachers holding certificates under existing law; repealing all laws in conflict herewith, and declaring an emergency."

Read third time.

Senator Stone moved to lay the bill on the table subject to call.

Senator Greer moved to table the motion. The motion to table was lost by the following vote:

Yeas—12.

Collie.	Hornsby.
Cousins.	Neal.
DeBerry.	Pace.
Fellbaum.	Poage.
Greer.	Purl.
Holbrook.	Redditt.

Nays—12.

Duggan.	Reagan.
Moore.	Sanderford.
Murphy.	Small.
Parr.	Stone.
Patton.	Woodruff.
Rawlings.	Woodward.

Present—Not Voting.

Oneal.

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

The motion to lay the bill on the table subject to call prevailed.

Senate Bill No. 288.

The Chair laid before the Senate on its second reading the following bill:

By Senator Holbrook:

S. B. No. 288, A bill to be entitled "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas the

sum of Twelve Thousand, Eight Hundred and Ninety-six Dollars and eleven cents (\$12,896.11), not otherwise appropriated to cover taxes due by the State of Texas to Brazoria County, covering the years 1929 to 1932, inclusive; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 288 was put on its third reading and final passage by the following vote:

Yeas—23.

Collie.	Pace.
Cousins.	Parr.
DeBerry.	Patton.
Duggan.	Poage.
Fellbaum.	Redditt.
Greer.	Reagan.
Holbrook.	Sanderford.
Hornsby.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.
Oneal.	

Nays—2.

Purl.	Rawlings.
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Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Read third time and finally passed by the following vote:

Yeas—17.

Cousins.	Parr.
Duggan.	Patton.
Fellbaum.	Purl.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Neal.	Stone.
Oneal.	Woodward.
Pace.	

Nays—6.

Collie.	Murphy.
DeBerry.	Rawlings.
Moore.	Small.

Absent.

Beck.	Hopkins.
Blackert.	Martin.

Poage.
Russek.

Woodruff.

Absent—Excused.

Woodul.

Senator Holbrook moved to reconsider the vote by which the bill was finally passed.

The motion prevailed.

Senator Rawlings moved to lay the bill on the table subject to call.

Senator Holbrook moved to table the motion. The motion to table prevailed.

The bill was finally passed by the following vote:

Yeas—21.

Collie.	Pace.
Cousins.	Parr.
DeBerry.	Patton.
Duggan.	Poage.
Greer.	Purl.
Holbrook.	Redditt.
Hornsby.	Reagan.
Moore.	Sanderford.
Murphy.	Stone.
Neal.	Woodward.
Oneal.	

Nays—3.

Fellbaum.	Small.
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Rawlings.

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	Woodruff.

Absent—Excused.

Woodul.

Senate Bill No. 20.

The Chair laid before the Senate on its second reading the following bill:

By Senator Hornsby:

S. B. No. 20, A bill to be entitled "An Act fixing the time for making election returns by presiding judges in general and special elections, and amending Article 3123 so as to fix the time for making precinct and county election returns in party primary elections; fixing a penalty for the failure to make such returns within the time prescribed by this Act; and declaring an emergency."

Read second time.

On motion of Senator Hornsby, the bill was laid on the table subject to call.

Senate Bill No. 480.

The Chair laid before the Senate on its second reading the following bill:

By Senator Moore:

S. B. No. 480, A bill to be entitled "An Act authorizing the board of trustees of independent school districts having a scholastic population of not less than 225 and not more than 325 according to the last State scholastic census, to borrow money from the Reconstruction Finance Corporation or from other sources, for the purpose of installing canning factories, manual training equipment, equipment for physical education department and for the erection of necessary buildings therefor, providing for charging of fees for the use of such equipment to make same self-liquidating, and providing for the issuance of securities based on such fees which may be supplemented by the local maintenance tax of such districts as a basis of credit for the purchase of such equipment as is named above; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 480 was put on its third reading and final passage by the following vote:

Yeas—24.

Collie.	Pace.
Cousins.	Parr.
DeBerry.	Patton.
Duggan.	Poage.
Fellbaum.	Purl.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.

Present—Not Voting.

Rawlings.

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Read third time and finally passed by the following vote:

Yeas—21.

Cousins.	Purl.
Duggan.	Poage.
Fellbaum.	Rawlings.
Greer.	Redditt.
Hornsby.	Reagan.
Moore.	Sanderford.
Neal.	Small.
Oneal.	Stone.
Pace.	Woodruff.
Parr.	Woodward.
Patton.	

Nays—4.

Collie.	Holbrook.
DeBerry.	Murphy.

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Senate Bill No. 272.

The Chair laid before the Senate on its second reading the following bill:

By Senator Murphy:

S. B. No. 272, A bill to be entitled "An Act to amend Article 5449 of the Revised Civil Statutes of 1925, by providing a judgment lien shall cease to exist if execution be not sued out within 10 years from the date of judgment, or if 10 years intervene between date of last execution issued and time of suing out another execution."

The bill was read second time and passed to engrossment.

On motion of Senator Murphy, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 272 was put on its third reading and final passage by the following vote:

Yeas—25.

Collie.	Moore.
Cousins.	Murphy.
DeBerry.	Neal.
Duggan.	Oneal.
Fellbaum.	Pace.
Greer.	Parr.
Holbrook.	Patton.
Hornsby.	Poage.

Purl.	Small.
Rawlings.	Stone.
Redditt.	Woodruff.
Reagan.	Woodward.
Sanderford.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Read third time and finally passed
by the following vote:

Yeas—23.

Collie.	Parr.
Cousins.	Patton.
Duggan.	Poage.
Fellbaum.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hornsby.	Reagan.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Nays—1.

Sanderford.

Present—Not Voting.

DeBerry.

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Senate Bill No. 388.

The Chair laid before the Senate
on its second reading the following
bill:

By Senator Pace:

S. B. No. 388, A bill to be entitled
"An Act ordering and authorizing
the Governor of the State of Texas
and the Commissioner of the Gen-
eral Land Office of the State of
Texas to convey and quitclaim to
the trustees of the Troup Consoli-
dated Independent School District in
Smith and Cherokee Counties, Texas,
and their successors in office for
the use and benefit of said Troup
Consolidated Independent School Dis-

trict the now abandoned site, lands
and property of the Troup Experi-
ment Station located partly in and
partly contiguous to the city limits
of the town of Troup in Smith
County, Texas, the total considera-
tion for said conveyance being to
the State of Texas that said lands
and propetry were heretofore deeded
to the Governor of the State of
Texas by the citizens without cost
to the State for public use, which
said public use has now ceased and
declaring an emergency."

The committee report recom-
mending that the bill be not printed
was adopted by unanimous consent.

Read second time.

Senator Pace sent up the follow-
ing amendment:

Amend S. B. No. 388 in Section
1 thereof by striking out, after the
word "station" in line 7 of said
section, the following:

"partly located in and partly con-
tiguous to the incorporated town of
Troup in Smith County, Texas."

And inserting in lieu thereof the
following:

"said lands and property being
described as follows, to-wit: 41 4/10
acres of the Joseph Miller survey
340, abstract 714 in Smith County,
Texas, as described in a deed from
Mary E. Douglas to Jos. D. Sayers
on January 24, 1902, and recorded
in the Deed Records of Smith Coun-
ty, Texas, in Vol. 73, on page 439;
and also 78 6/10 acres more or less
of the E. Gee League abstract 10
in Smith County, Texas, as describ-
ed in a deed from D. P. Jarvis and
W. D. Pace to Jos. D. Sayers on
January 25, 1902, and as recorded
in Vol. 73, page 435 of the Deed
Records of Smith County, Texas; and
also 30 acres of land, a part of the
E. Gee League in Smith County,
Texas, as described in a deed of con-
veyance on the _____ day of January,
1902, from Jos. D. Sayers, as shown
of record in the Deed Records of
Smith County, Texas, in Vol. 73,
page 437."

PACE.

Read and adopted.

The bill was passed to engross-
ment.

On motion of Senator Pace, the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 388 was
put on its third reading and final
passage by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Read third time and finally passed
by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Senate Bill No. 384.

The Chair laid before the Senate
on its second reading the following
bill:

By Senator Redditt:

S. B. No. 384, A bill to be entitled
"An Act to permit the following per-
sons, their heirs or assigns to sue
the State of Texas, or join the State
of Texas as a party defendant, in
the following cases now pending in
the district court of Polk County,

Texas, styled J. W. Sessions vs. Na-
tional Surety Company, et al., and
C. B. Fairchild vs. National Surety
Company, et al., providing said suit
may be filed or the State of Texas
may be joined party defendant in
said cases, within two years from the
effective date of this Act, and fur-
ther provides that the State may be
served by service upon the Attorney
General of the State of Texas; pro-
viding that this Act is not intended
to create a cause of action but is in-
tended to create a remedy whereby
such causes of action as may already
exist in behalf of said persons may
be established according to appli-
cable rules and principles of law and
equity; providing that said suits
shall be tried and determined in the
trial and appellate courts according
to such rules of law and procedure
as to liability and defenses as would
be applicable if the suits were suits
by and against citizens of the State
of Texas; and declaring an emer-
gency."

The committee report recommend-
ing that the bill be not printed was
adopted by unanimous consent.

The bill was read second time and
passed to engrossment.

On motion of Senator Redditt, the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 384 was
put on its third reading and final
passage by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Read third time and finally passed
by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Senate Bill No. 124.

The Chair laid before the Senate on its second reading the following bill:

By Senator Poage:

S. B. No. 124, A bill to be entitled "An Act, to authorize cities and towns to exercise the rights and enjoy privileges and immunities set forth in the Workmen's Compensation Law, with exceptions herein set forth, fixing terms and conditions for their operation under such law, providing cities and towns electing to come within the provisions of Workmen's Compensation Law may do so by creating a fund by taxation to pay claims arising under such operation or may contract with solvent insurance corporations for protection, and providing further that said cities and towns may cease to operate under said law by giving notice to the Industrial Accident Board, defining terms and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Poage, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 124 was put on its third reading and final passage by the following vote:

Yeas—25.

Collie.	Fellbaum.
Cousins.	Greer.
DeBerry.	Holbrook.
Duggan.	Hornsby.

Moore.	Rawlings.
Murphy.	Redditt.
Neal.	Reagan.
Oneal.	Sanderford.
Pace.	Small.
Parr.	Stone.
Patton.	Woodruff.
Poage.	Woodward.
Purl.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Read third time and finally passed by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Senate Bill No. 313.

The Chair laid before the Senate on its second reading the following bill:

By Senator Oneal:

S. B. No. 313, A bill to be entitled "An Act to amend Chapter (7) of Title Ninety (90) of the Revised Civil Statutes of 1925, by adding thereto an Article to be known as Article 5502-A, providing that the proprietors of public garages shall have a special lien on all automobiles, motor trucks, buses and trailers placed with them for storage, care and safekeeping; and providing for enforcement of the lien, and declaring an emergency."

Read second time.

On motion of Senator Oneal, the bill was laid on the table subject to call.

Senate Bill No. 348.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodward:

S. B. No. 348, A bill to be entitled "An Act providing for evidence of handwriting by comparison, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 348 was put on its third reading and final passage by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Read third time and finally passed by the following vote:

Yeas—24.

Collie.	Parr.
Cousins.	Patton.
Duggan.	Poage.
Fellbaum.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hornsby.	Reagan.
Moore.	Sanderford.
Murphy.	Small.
Neal.	Stone.
Oneal.	Woodruff.
Pace.	Woodward.

Nays—1.

DeBerry.

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

House Bill No. 557.

The Chair laid before the Senate on its second reading the following bill:

By Mr Harris:

H. B. No. 557, A bill to be entitled "An Act providing for a closed season on quail in Archer County, and prescribing a penalty for violation thereof, etc., and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Oneal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 557 was put on its third reading and final passage by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Read third time and finally passed by the following vote:

Yeas—25.

Collie.	Holbrook.
Cousins.	Hornsby.
DeBerry.	Moore.
Duggan.	Murphy.
Fellbaum.	Neal.
Greer.	Oneal.

Pace. Reagan.
 Parr. Sanderford.
 Patton. Small.
 Poage. Stone.
 Purl. Woodruff.
 Rawlings. Woodward.
 Redditt.

Absent.

Beck. Martin.
 Blackert. Russek.
 Hopkins.

Absent—Excused.

Woodul.

Senate Bill No. 68.

The Chair laid before the Senate on its second reading the following bill:

By Senator Purl:

S. B. No. 68, A bill to be entitled "An Act to exempt estates of minors of fifteen thousand dollars or less in valuation, administered in guardianship under Title 69, Revised Civil Statutes of Texas, 1925, from all fees, charges, costs and commissions allowed by law, except commissions allowed to guardians and to amend Article 4137, Revised Civil Statutes of Texas, 1925, regulating costs and securities for guardianship proceedings, and to repeal all laws in conflict herewith, and declaring an emergency."

Read second time.

On motion of Senator Stone, the bill was laid on the table subject to call.

Senate Bill No. 407.

The Chair laid before the Senate on its second reading the following bill:

By Senators Purl, Moore, DeBerry, Oneal, Woodul, Small, Duggan, Regan, Stone, Greer, Pace, Murphy, Blackert, Holbrook, Redditt, Hornsby, Poage and Rawlings:

S. B. No. 407, A bill to be entitled "An Act to save the State the useless expense of assessing poll taxes; and requiring the payment of such poll taxes without assessment and regulating the time and manner of such payment, and amending Articles 3937 as amended and Article 7046 and 2959, Revised Civil Statutes, and declaring an emergency."

The committee amendment was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Purl, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 407 was put on its third reading and final passage by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Read third time and finally passed by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Senate Bill No. 285.

The Chair laid before the Senate on its second reading the following bill:

By Senator Rawlings:

S. B. No. 285, A bill to be entitled "An Act providing that the clerk of any justice court, county court, county court at law, district court, or other court of record shall give non-resident attorneys written notice by registered mail at least ten days before the date a cause is set for hearing; providing that in the absence of such notice no adverse default judgment shall be rendered against any party represented by such non-resident attorney, and declaring an emergency."

Read second time.

Senator Greer moved to recess until 10 o'clock tomorrow morning. The motion was lost.

On motion of Senator Rawlings, the bill was laid on the table subject to call.

Motion to Recess.

Senator Hornsby moved to recess until 10 o'clock tomorrow morning. The motion was lost.

Senate Bill No. 332.

The Chair laid before the Senate on its second reading the following bill:

By Senator Redditt:

S. B. No. 332, A bill to be entitled "An Act relating to privileged matters in communication in suits for slander, and further providing and regulating when said privilege is lost, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Redditt, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 332 was put on its third reading and final passage by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Read third time and finally passed by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Senate Bill No. 244.

The Chair laid before the Senate on its second reading the following bill:

By Senator Regan:

S. B. No. 244, A bill to be entitled "An Act authorizing water improvement districts to borrow money and create debts and obligations to fully carry out the purpose of their organization and to levy and collect taxes and to fix, levy and collect charges for the use of water and power and other services and to pledge same for the payment of debts and to provide for the government and operation of such districts and declaring an emergency."

The committee substitute was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Regan, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 244 was put on its third reading and final passage by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Read third time and finally passed
by the following vote:

Yeas—24.

Collie.	Parr.
Cousins.	Patton.
Duggan.	Poage.
Fellbaum.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hornsby.	Reagan.
Moore.	Sanderford.
Murphy.	Small.
Neal.	Stone.
Oneal.	Woodruff.
Pace.	Woodward.

Nays—1.

DeBerry.

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Senate Bill No. 234.

The Chair laid before the Senate
on its second reading the following
bill:

By Senator Holbrook:
S. B. No. 234, A bill to be entitled
"An Act making an appropriation to
be paid out of the General Revenue
Fund of the State of Texas the sum
of twelve thousand twelve dollars

and seventy-nine cents (\$12,012.79),
not otherwise appropriated, to cover
taxes due by the State of Texas to
Fort Bend County, covering the years
1929 to 1932, inclusive; and declar-
ing an emergency."

The bill was read second time and
passed to engrossment.

On motion of Senator Sanderford,
the constitutional rule requiring bills
to be read on three several days was
suspended and S. B. No. 234 was
put on its third reading and final
passage by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Read third time and finally passed
by the following vote:

Yeas—24.

Collie.	Parr.
Cousins.	Patton.
Duggan.	Poage.
Fellbaum.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hornsby.	Reagan.
Moore.	Sanderford.
Murphy.	Small.
Neal.	Stone.
Oneal.	Woodruff.
Pace.	Woodward.

Nays—1.

DeBerry.

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Senate Bill No. 477.

The Chair laid before the Senate on its second reading the following bill:

By Senator Small:

S. B. No. 477, A bill to be entitled "An Act repealing Chapter 56, Special Laws Forty-second Legislature, Regular Session 1931, known as H. B. 365 creating the County Court of Potter County at Law; transferring the causes pending on the docket of said court to the County Court of Potter County and the justice courts of Potter County; making all writs and process issued out of said County Court of Potter County at Law valid and binding in the court to which the causes are transferred; and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Small, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 477 was put on its third reading and final passage by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Read third time and finally passed by the following vote:

Yeas—25.

Collie.	Duggan.
Cousins.	Fellbaum.
DeBerry.	Greer.

Holbrook.	Purl.
Hornsby.	Rawlings.
Moore.	Redditt.
Murphy.	Reagan.
Neal.	Sanderford.
Oneal.	Small.
Pace.	Stone.
Parr.	Woodruff.
Patton.	Woodward.
Poage.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Senate Bill No. 481.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodruff:

S. B. No. 481, A bill to be entitled "An Act releasing the liens held by the several counties of the State, evidenced by vendor's lien notes, deeds of trust, or other memorandum of record heretofore retained by said counties to secure the payment of all purchase money for school lands purchased from said counties, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Woodruff, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 481 was put on its third reading and final passage by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck. Martin.
Blackert. Russek.
Hopkins.

Absent—Excused.

Woodul.

Read third time and finally passed
by the following vote:

Yeas—24.

Collie.	Parr.
Cousins.	Patton.
Duggan.	Poage.
Fellbaum.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hornsby.	Reagan.
Moore.	Sanderford.
Murphy.	Small.
Neal.	Stone.
Oneal.	Woodruff.
Pace.	Woodward.

Present—Not Voting.

DeBerry.

Absent.

Beck. Martin.
Blackert. Russek.
Hopkins.

Absent—Excused.

Woodul.

Senate Bill No. 60.

The Chair laid before the Senate
on its second reading the following
bill:

By Senator Woodward:

S. B. No. 60, A bill to be entitled
"An Act to amend Article 1738 Re-
vised Civil Statutes of Texas of 1925
(as amended by the Acts of 1927,
Fortieth Legislature, First Called
Session, p. 148, ch. 51, Sec. 1) so
as to provide that the equalization of
the business of the Courts of Civil
Appeals shall be made by the Su-
preme Court as of the close of busi-
ness in said Courts of Civil Appeals
on December 31st and May 31st of
each year; and declaring an emer-
gency."

The bill was read second time and
passed to engrossment.

On motion of Senator Woodward,
the constitutional rule requiring bills
to be read on three several days was
suspended and S. B. No. 60 was put

on its third reading and final pas-
sage by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck. Martin.
Blackert. Russek.
Hopkins.

Absent—Excused.

Woodul.

Read third time and finally passed
by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck. Martin.
Blackert. Russek.
Hopkins.

Absent—Excused.

Woodul.

Senate Bill No. 408.

The Chair laid before the Senate
on its second reading the following
bill:

By Senator Purl:

S. B. No. 408, A bill to be entitled
"An Act creating a Board of Jury
Supervisors in Dallas County, Texas;
defining the duties of the Board of
Supervisors; providing method of
selecting a jury commissioner; pro-

viding for compensation of jury commissioner and supplies; providing for oath of jury commissioner; providing method for selecting names for jury wheel; compilation of jury list and selection of jurors; providing the method of placing cards in jury wheel; providing for the organization and supervision over the juries; providing the method of drawing cards from the jury wheel; providing for the interchangeable use of jurors in various courts; providing for the certification of jury lists drawn; providing for delivery of jury lists; providing for additional use of cards; providing for service and return of panel and notices to be issued; providing for swearing in of jurors; providing for work under present law until this Act becomes effective; providing that this Act shall not be applicable in capital cases; providing the constitutionality of one section being held invalid will not affect the validity of any other section; and providing for repeal of all laws in conflict herewith."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Purl, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 408 was put on its third reading and final passage by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Read third time and finally passed by the following vote:

Yeas—25.

Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Reagan.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.
Pace.	

Absent.

Beck.	Martin.
Blackert.	Russek.
Hopkins.	

Absent—Excused.

Woodul.

Recess.

On motion of Senator Greer, the Senate, at 11:28 o'clock p. m., recessed until 10 o'clock tomorrow morning.

APPENDIX.

Committee Reports.

Committee Room,

Austin, Texas, April 4, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 485, A bill to be entitled "An Act to authorize any county in this State, whose population according to the last preceding United States census did not exceed fifteen thousand, having at the time of the passage of this Act, any claim for money against any person, partnership, corporation, joint stock or other association, and whose claim shall amount to at least fifty per cent of all the claims against such debtor, to purchase the property of such debtor or debtors, at any sale made within two years from the date this Act shall become effective under any proceedings in bankruptcy, receivership, or in any other judicial proceedings whatever, whenever the

commissioners court of said county shall be of the opinion that it is necessary or advisable so to do to protect the interest of the county, for such price as the commissioners court may deem advisable for the best interests of the county, and to have such property by said trustee in bankruptcy, receiver or other judicial officer conveyed and transferred to the county; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it be printed.

FELLBAUM, Chairman.

FIFTY-FIFTH DAY (Continued).

Senate Chamber,
Austin, Texas,
April 5, 1933.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Point of No Quorum.

The point of order was raised that a quorum was lacking. The roll call showed 21 present.

Senator Excused.

Senator Hopkins was excused for the day on account of illness on motion of Senator Sanderford.

S. J. R. No. 20.

The Chair laid before the Senate on its second reading the following resolution:

By Senator Duggan:

S. J. R. No. 20, Proposing an amendment to Article 5 of the Constitution of Texas by adding thereto Section 30 providing that the Legislature may, by general law, provide for complete forms of county organization and government different from that provided for in Article 5 of the Constitution of the State of Texas, to become effective in any county when submitted to the qualified voters thereof in an election held for such purpose and approved by a majority of those voting thereon; providing for its submission to the voters as required by the Constitution and making an appropriation therefor.

Read second time.

Senator Duggan sent up the following amendment:

Amend S. J. R. No. 20 by striking out all of Section 1 thereof and by inserting in lieu thereof the following:

Section 1. That there be added to Article V of the Constitution of the State of Texas, a new section with six lettered subdivisions to be numbered Section 32, and which section shall read as follows:

"Section 32. (a) The method of compensating county and precinct officers on a fee basis is hereby abolished, and all county and precinct officers shall hereafter be paid on a salary basis, and all fees earned by county and precinct officers shall be paid into the county treasury for the account of the proper fund, provided that fees incurred by the State, county and any municipality, or in cases where pauper's oath is filed, shall be paid into the county treasury when collected.

(b) In addition to all authority now conferred upon the commissioners court, they shall be charged with the general management and control of the affairs of the county.

(c) The commissioners court shall, on the recommendation of the county judge, appoint the following county officers: Tax clerk, who shall perform all duties now performed by the tax assessor and the tax collector; record clerk, who shall perform all duties now performed by the clerk of the district court and the county clerk; treasurer; surveyor; public weigher. Any of the above offices may be combined by said court, and all of said officers shall serve at the will of said court, and their compensation, and the compensation of all elected county and precinct officers shall be fixed by the commissioners court, provided that the Legislature shall fix the salary of the county judge and the county commissioners, and the maximum salaries of all other county officers; and provided further, the commissioners court shall, upon recommendation of the county judge, determine the number of deputies, assistants, and clerical help of all county and precinct officers, and fix the amount of their salaries.

(d) Any and all county officers and employees may, in addition to their duties as such county officers or employees, be required to perform such other similar duties for